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5 Attorneys for Debtor
DUTCHINTS DEVELOPMENT LLC

6 UNITED STATES BANKRUPTCY COURT
7
8 NORTHERN DISTRICT OF CALIFORNIA

9 In re
10 DUTCHINTS DEVELOPMENT LLC,
11 Debtor.

21-51255-MEH-11

Chapter 11

**RESPONSE TO OFFICIAL
COMMITTEE OF UNSECURED
CREDITORS TO DISQUALIFY
DEBTOR'S COUNSEL FROM FURTHER
REPRESENTATION; MEMORANDUM
OF POINTS AND AUTHORITIES**

Date: March 3, 2022

Time: 10:00 a.m.

Place: **Via Tele/Videoconference**

18 COMES NOW Dutchints Development LLC, Debtor herein ("Debtor"), and respectfully
19 submits its response to the former Official Committee of Unsecured Creditors to Disqualify Debtor's
20 Counsel from Further Representation; Memorandum of Points and Authorities, filed on February 2,
21 2022 [Dkt. 117] (the "Motion").

22 Macdonald Fernandez LLP, counsel for Debtor, is agreeable to resolving this matter by
23 waiving the guarantee held by it from Debtor's principal, Vahe Tashjian, notwithstanding that
24 Macdonald Fernandez LLP was duly appointed by this Court after full disclosure. (*See* Application
25 for Appointment of Macdonald Fernandez LLP [Dkt. 92]; Declaration of Iain A. Macdonald in
26 Support [Dkt. 92-1]; and Order Approving Application for Appointment of Macdonald Fernandez
27 LLP [Dkt. 108]).
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1 Macdonald Fernandez LLP offered to do this when Committee's counsel, Leonard M.
2 Shulman, first raised the issue but was not able to reach a stipulation because Mr. Shulman demanded
3 extensive concessions, most notably that the Debtor's principal agree to the substantive consolidation
4 of his affairs with the within case, which Tashjian was unwilling to do. In any event, the Motion
5 would appear to be moot given the conversion of the case to Chapter 7 on February 11, 2022 [Order,
6 Dkt.127].

7 DATED: February 17, 2022

MACDONALD FERNANDEZ LLP

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9 By: /s/ Iain A. Macdonald
10 Iain A. Macdonald, Attorneys for
11 Dutchints Development LLC, Debtor
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